

1-1 By: Hernandez, et al. (Senate Sponsor - Campbell) H.B. No. 1445
1-2 (In the Senate - Received from the House April 29, 2025;
1-3 April 30, 2025, read first time and referred to Committee on
1-4 Criminal Justice; May 21, 2025, reported favorably by the
1-5 following vote: Yeas 6, Nays 0; May 21, 2025, sent to printer.)

1-6 COMMITTEE VOTE

| | Yea | Nay | Absent | PNV |
|------|---------------------|-----|--------|-----|
| 1-7 | | | | |
| 1-8 | Flores | X | | |
| 1-9 | Parker | X | | |
| 1-10 | Hagenbuch | X | | |
| 1-11 | Hinojosa of Hidalgo | X | | |
| 1-12 | Huffman | | X | |
| 1-13 | King | X | | |
| 1-14 | Miles | X | | |

1-15 A BILL TO BE ENTITLED
1-16 AN ACT

1-17 relating to the compensation of counsel appointed to provide
1-18 representation and services to indigent individuals in criminal and
1-19 juvenile proceedings.

1-20 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-21 SECTION 1. Article 26.05(c), Code of Criminal Procedure, is
1-22 amended to read as follows:

1-23 (c) Each fee schedule adopted shall state reasonable fixed
1-24 rates or minimum and maximum hourly rates, taking into
1-25 consideration reasonable and necessary overhead costs and the
1-26 availability of qualified attorneys willing to accept the stated
1-27 rates, and shall provide a form for the appointed counsel to itemize
1-28 the types of services performed. No payment shall be made under
1-29 this article until the form for itemizing the services performed is
1-30 submitted to the judge presiding over the proceedings or, if the
1-31 county operates a managed assigned counsel program under Article
1-32 26.047, to the director of the program or the director's designee,
1-33 and until the judge or the director or director's designee, as
1-34 applicable, approves the payment. If the judge or the director or
1-35 director's designee disapproves the requested amount of payment,
1-36 the judge or the director or director's designee shall make written
1-37 findings stating the amount of payment that the judge or the
1-38 director or director's designee approves and each reason for
1-39 approving an amount different from the requested amount. An
1-40 attorney whose request for payment is disapproved or is not
1-41 otherwise acted on by the 60th day after the date the request for
1-42 payment is submitted may appeal the disapproval or failure to act by
1-43 filing a motion with the presiding judge of the administrative
1-44 judicial region. On the filing of a motion, the presiding judge of
1-45 the administrative judicial region shall review the disapproval of
1-46 payment or failure to act and determine the appropriate amount of
1-47 payment. In reviewing the disapproval or failure to act, the
1-48 presiding judge of the administrative judicial region may conduct a
1-49 hearing. Not later than the 45th day after the date an application
1-50 for payment of a fee is submitted under this article, the
1-51 commissioners court shall pay to the appointed counsel the amount
1-52 that is approved by the presiding judge of the administrative
1-53 judicial region and that is in accordance with the fee schedule for
1-54 that county.

1-55 SECTION 2. Article 26.05(c), Code of Criminal Procedure, as
1-56 amended by this Act, applies only to expenses incurred by an
1-57 attorney on or after the effective date of this Act.

1-58 SECTION 3. This Act takes effect September 1, 2025.

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